

Practitioner's Docket No. 00211-US-NEW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MOYER *et al.*

Application No.: 09/393,590

Filed: September 9, 1999

For: STABLE LIQUID
FORMULATIONS OF
BOTULINUM TOXIN

Examiner: S. Devi

Art Unit: 1645

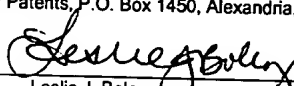
PETITION FOR EXTENSION OF TIME
UNDER 37 CFR § 1.17(a)(4)

RECEIVED

MAR 01 2004

Certificate of Mailing:

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the US Postal Service as Express Mail Label No. EV 222673446 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: February 23, 2004 By: 

Leslie J. Boley

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby respectfully requests that a Four-Month Extension of Time be granted under 37 CFR § 1.17(a)(4) in which to file a Request for Continued Examination subsequent to a Notice of Appeal that was filed August 22, 2003, thus making this a timely submission on February 23, 2004 (February 22 being a Sunday). If an additional extension of time is required, please consider this a petition therefor.

Applicant believes that the fee required is \$1,480 for a Large Entity. The Commissioner is authorized to deduct the necessary fee from the undersigned's Deposit Account No. 01-2707. Please deduct any additional fees that may be required from, or credit any overpayment to, the above-noted Deposit Account.

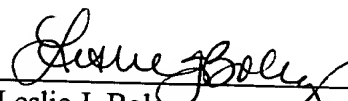
02/26/2004 JADD01 00000089 012707 09393590

02 FC:1254 1480.00 DA

Date: 2/23/04

Elan Pharmaceuticals, Inc.
800 Gateway Boulevard,
South San Francisco, CA 94080
650 866-2773
650 553-7165

Respectfully submitted,


Leslie J. Boley

Registration No. 41,490